INFORMATION

FOR THE USE OF

MILITARY AND NAVAL OFFICERS

PROPOSING TO SETTLE IN

THE BRITISH COLONIES.

COLONIAL OFFICE
15th August, 1834.

1. ANNEXED is a Statement of the Regulations according to which, with such modifications as local circumstances may render necessary, lands belonging to the Crown are disposed of in the several British Colonies in North America, as well as a Statement of the Regulations in force in the Australian Colonies.

2. Under these Regulations Military and Naval Officers cannot receive free grants of land; but, in buying land, they are allowed a remission of the purchase money, according to the undermentioned scale:—

Field Officers of 25 years' service and upwards, in the whole . .	£300
Field Officers of 20 years' service and upwards, in the whole . .	250
Field Officers of 15 or less years' service, in the whole	200
Captains of 20 years' service and upwards, in the whole . . .	200
Captains of 15 years' service or less, in the whole	150
Subalterns of 20 years' service and upwards, in the whole . . .	150
Subalterns of 7 years' service or less, in the whole	100

Regimental Staff Officers and Medical Officers of the Army and Navy will be deemed to come within the benefit of this Rule.

3. Officers of the Army or Navy, who propose to proceed to the Colonies in order to take advantage of this indulgence, should provide themselves with certificates from the office of the General Commanding in Chief, or of the Lords Commissioners of the Admiralty, shewing that their emigration has been sanctioned, and stating exactly their rank and length of service. No document from the office of the Secretary of State is necessary.

4. Officers on half-pay, residing in the Colony where they propose to settle, may be admitted to the privileges of Military and Naval Settlers, without referring to this country for testimonials, provided they can satisfy the Governor that there is no objection to their being allowed the indulgence, and that their return of their rank and length of service is accurate, and provided, if they belong to the Navy, that they produce their letter of leave of absence from the Admiralty.

5. Military Chaplains, Commissariat Officers, and Officers of any of the Civil Departments connected with the Army, cannot be allowed any privileges on the subject of land. Pursers, Chaplains, Midshipmen, Warrant Officers of every description, and Officers of any of the Civil Departments connected with the Navy, must also be considered as not qualified for those privileges. Although members of these classes may have been admitted formerly, and under a different state of circumstances, they must now be excluded.

6. Gentlemen who have ceased to belong to His Majesty's Service cannot be allowed the advantages to which they were entitled while in the Army or Navy. It is not, however, proposed to affect by this rule Officers who desire to quit the service for the express purpose of settling in the Colonies: it is only required, that when they resign their commissions, they should apply for a certificate from the General Commanding in Chief, or from the Lords Commissioners of the Admiralty, that they do so with the view of emigrating; and such certificate, if produced to the Governor of any Colony, within one year from its date, ***but not otherwise***, will be a sufficient warrant for allowing the bearer the same advantages as Officers still in His Majesty's Service.

Officers who have sold out within the last twelve months preceding the date of this memorandum will be allowed the usual privileges, notwithstanding their want of the certificate required by these Regulations, if they present themselves to the Governor of the Colony within a year from the present date. And all Officers who have already been recommended by the General Commanding in Chief will be entitled to their privileges, without regard to any obstruction which might otherwise be offered by the Regulations now established.

7. Officers cannot be allowed advantages in the acquisition of land in any Colony, unless it be their intention to fix their residence in that Colony. In order to insure the observance of this rule, it has been determined that the Titles to lands obtained by Officers who take advantage of the peculiar Regulations existing in their favour, shall be withholden for a period sufficient to prove that they have not repaired to the Colony for the mere purpose of gaining possession of a portion of land, and then departing. Two years is the period for which it has been decided that the Titles shall be kept back: this delay will be sufficient for the salutary object in view, and will not constitute any serious inconvenience to the *bonâ fide* Settler.

8. By the annexed Regulations for the disposal of Crown lands, it will be observed that the general sales will take place periodically. But in order to prevent inconvenience to Officers who may arrive in the intervals between those sales, and be desirous at once to obtain an allotment, the Governors of the Colonies are authorized to allow Officers to acquire, at any time, on payment of the upset price, lands which have previously been offered for sale at some general sale, and not been bought.

Officers will thus be relieved from delay at the time of establishing them-

selves in the Colony. They will also be enabled by this arrangement, which will permit them to obtain their land at a fixed price, to choose such a quantity as shall be exactly equivalent to the amount of the remission to which they are entitled, instead of being liable to be called upon to pay a balance, which must be the case if they bid for lands at a sale by auction.

9. There being little or no Crown land available in Prince Edward's Island, officers cannot be offered any privileges in the acquisition of land in that Colony. In Cape Breton, an island in which the natural inducements for the settlement of officers are not very considerable, it is necessary, from local circumstances, that there should not be a remission of purchase money as in other Colonies: to such Officers as may wish to settle in this island, allotments of land will be granted on the same scale and conditions as before the general introduction of the system of selling the Crown lands, viz. :—

To a Lieutenant-Colonel . . .	1,200 acres.
„ Major	1,000 „
„ Captain	800 „
„ Subaltern	500 „

Regulations for the disposal of Lands belonging to the Crown in the British North American Provinces.

THE lands are no longer to be given away by free grants, but are to be sold.

The Commissioners of the Crown lands will, at least once in every year, submit to the Governor a Report of the land which it may be expedient to offer for sale within the then ensuing year, and the upset price per acre at which he would recommend it to be offered; the land so offered having been previously surveyed and valued in one or more contiguous tracts of those which are most adapted for settlement, according to the local peculiarities of the province, and in proportion to the number of deputy-surveyors who can be employed.

The lands to be laid out in lots of 100 acres each, and plans of such parts as are surveyed to be prepared for public inspection, which plans may be inspected in the office of the Surveyor-General, or in that of his deputies in each district, on payment of the fee of 2*s.* 6*d.*

The Commissioner of Crown lands will proceed to the sale in the following manner:—He will give public notice in the Gazette, and in such other newspapers as may be circulated in the Province, as well as in any other manner that circumstances will admit of, of the time and place appointed for the sale of the lands in each district, and of the upset price at which the lands are proposed to be offered; he will give notice that the lots will be sold to the highest bidder; and if no offer should be made at the

upset price, that the lands will be reserved for future sale in a similar manner by auction.

The purchase-money will be required to be paid down at the time of sale, or by four instalments with interest; the first instalment at the time of the sale, and the second, third, and fourth instalment at intervals of half a year.

If the instalments are not regularly paid, the deposit-money will be *forfeited, and the land again referred to sale.*

Public notice will be given in each district, in every year, stating the names of the persons in each district who may be in arrears for the instalments of their purchases, and announcing that if the arrears are not paid up before the commencement of the sales in that district for the following years, the lands in respect of which the instalments may be due will be the first lot to be exposed to auction at the ensuing sales; and if any surplus of the produce of the sale of each lot should remain, after satisfying the Crown of the sum due, the same will be paid to the original purchasers of the land who made default in payment.

The patent for the land will not be issued, nor any transfer of the property allowed, until the whole of the instalments are paid. The lands sold under this regulation are not to be chargeable with quit-rents, or any farther payment beyond the purchase-money and the expense of the patent.

Persons desirous of buying land, in situations not included in the tracts already surveyed, must previously pay for the expense of survey, and the price must of course depend upon the quality of the land and its local situation.

The Crown will reserve to itself the right of making and constructing such roads and bridges as may be necessary for public purposes in all lands purchased as above; and also to such indigenous timber, stone, and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, and for any other public works. The Crown further reserves to itself all mines of precious metals.

The regulations for granting licences to cut timber will be learnt by application to the Surveyor-General's office in the respective Colonies.

COLONIAL OFFICE,
7th March, 1831.

Terms upon which the Crown Lands will be disposed of in New South Wales and Van Diemen's Land.

IT has been determined by His Majesty's Government that no land shall, in future, be disposed of in New South Wales or Van Diemen's Land, otherwise than by public sale, and it has therefore been deemed expedient to prepare, for the information of settlers, the following summary

of the rules which it has been thought fit to lay down for regulating the sales of land in those Colonies.

1. A division of the whole territory into counties, hundreds, and parishes is in progress. When that division shall be completed, each parish will comprise an area of about twenty-five square miles.

2. All the lands in the Colony, not hitherto granted, and not appropriated for public purposes, will be put up to sale. The price will of course depend upon the quality of the land and its local situation, but no land will be sold below the rate of *5s.* per acre.

3. All persons proposing to purchase lands not advertized for sale, must transmit a written application to the Governor, in a certain prescribed form, which will be delivered at the Surveyor-General's Office to all persons applying, on payment of the requisite fee of *2s.* 6*d.*

4. Those persons who are desirous of purchasing will be allowed to select, within certain defined limits, such portions of land as they may wish to acquire in that manner. These portions of land will be advertized for sale for three calendar months, and will then be sold to the highest bidder, provided that such bidding shall at least amount to the price fixed by Article 2.

5. A deposit of £10 per cent. upon the whole value of the purchase must be paid down at the time of sale, and the remainder must be paid within one calendar month from the day of sale, previous to which the purchaser will not be put in possession of the land; and in case of payment not being made within the prescribed period, the sale will be considered void and the deposit forfeited.

6. On payment of the money, a grant will be made in fee-simple, to the purchaser, at the nominal quit-rent of a pepper-corn. Previous to the delivery of such grant, a fee of forty shillings will be payable to the Colonial Secretary for preparing the grant, and another fee of five shillings to the Registrar of the Supreme Court for enrolling it.

7. The land will generally be put up to sale in lots of one square mile, or 640 acres; but smaller lots than 640 acres may, under particular circumstances, be purchased, on making application to the Governor, in writing, with full explanations of the reasons for which the parties wish to purchase a smaller quantity.

8. The Crown reserves to itself the right of making and constructing such roads and bridges as may be necessary for public purposes in all lands purchased as above, and also to such indigenous timber, stone, and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, and for any other public works. The Crown further reserves to itself all mines of precious metals.

COLONIAL OFFICE,
20th January, 1831.

Terms upon which the Crown Lands will be disposed of in the New Settlement in Western Australia.

It has been determined by His Majesty's Government, that land shall in future be disposed of in Western Australia, upon the same principles as in New South Wales and Van Diemen's Land; but the encouragement hitherto given to persons who might incur the expense of taking out labouring persons to the Colony, will not be entirely withdrawn at present.

The following is a summary of the Rules which it has been thought fit to substitute for those dated the 20th of July, 1830.

1. A division of the whole territory into counties, hundreds, and parishes is in progress. When that division shall be completed, each parish will comprise an area of about twenty-five square miles.

2. All the lands in the Colony not hitherto granted, and not appropriated for public purposes, will be put up to sale. The price will, of course, depend upon the quality of the land and its local situation, but no land will be sold below the rate of five shillings per acre.

3. All persons proposing to purchase lands not advertized for sale, must transmit a written application to the Governor, in a certain prescribed form, which will be delivered at the Surveyor-General's Office to all persons applying, on payment of the requisite fee of two shillings and six-pence.

4. Those persons who are desirous of purchasing will be allowed to select, within certain defined limits, such portions of land as they may wish to acquire in that manner. These portions of land will be advertized for sale for three calendar months, and will then be sold to the highest bidder, provided that such bidding shall at least amount to the price fixed by Article 2.

5. A deposit of 10 per cent. upon the whole value of the purchase must be paid down at the time of sale, and the remainder must be paid within one calendar month from the day of sale, previous to which the purchaser will not be put in possession of the land; and in case of payment not being made within the prescribed period, the sale will be considered void, and the deposit forfeited.

6. On payment of the money, a grant will be made, in fee simple, to the purchaser, at the nominal quit-rent of a pepper-corn. Previous to the delivery of such grant, a fee of forty shillings will be payable to the Colonial Secretary for preparing the grant, and another fee of five shillings for enrolling it.

7. The land will generally be put up to sale in lots of one square mile, or 640 acres, but smaller lots than 640 acres may, under particular circumstances, be purchased, on making application to the Governor, in writing, with full explanations of the reasons for which the parties wish to purchase a smaller quantity.

8. The Crown reserves to itself the right of making and constructing such roads and bridges as may be necessary for public purposes in all lands purchased as above, and also to such indigenous timber, stone, and other materials, the produce of the land, as may be required for making and keeping the said roads and bridges in repair, and for any other public works. The Crown further reserves to itself all mines of precious metals.

9. Those Settlers who may incur the expense of taking out labouring persons to the settlement, will be entitled to an abatement of the price at which the land may have been purchased, at the rate of £20 for the passage of every married labourer and his family.

10. Persons claiming such an abatement from the price paid for land, will be held responsible for any expense the Colonial Authorities may be compelled to incur for the maintenance (during the first year after their arrival) of the labourers in respect of whom it has been allowed.

COLONIAL OFFICE,
1*st March*, 1831.

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